

**MINUTES OF THE SPECIAL JOINT MEETING OF THE TRINIDAD CITY COUNCIL,  
PLANNING COMMISSION, & SHORT-TERM RENTAL COMMITTEE  
TUESDAY, NOVEMBER 19, 2019**

**I. CALL TO ORDER**

Mayor Ladwig called the open meeting to order at 6:00pm. Council members in attendance: Miller, West, Ladwig, Grover, Davies. Planning Commissioners in attendance: Graves, Johnson, Stockness, Kelly, Lake. STR Committee members in attendance: Dick Bruce, Jan Nash-Hunt, Joe Moran, Dorothy Cox, Kathleen Lake. City Staff in attendance: City Manager Eli Naffah, City Clerk Gabriel Adams, City Planner Trever Parker.

**II. PLEDGE OF ALLEGIANCE**

**III. APPROVAL OF THE AGENDA**

*Motion (Grover/West) to move approve the agenda as written. Passed unanimously.*

**IV. ITEMS FROM THE FLOOR**

*(Three (3) minute limit per Speaker unless Council approves request for extended time.)*

**Richard Marx** – Northern Regional Compliance Manager  
Introduced himself and the services he provides with CIFAC.

**XI. DISCUSSION/ACTION AGENDA ITEMS**

**1. Discussion/Presentation of the Preliminary Progress Report of the STR Advisory Committee.**

City Manager Naffah began by reading the 2 complaints received this year; 1) a dog incident, and 2) an exterior lighting complaint.

STR Committee Chair Dick Bruce read from the progress report included in the packet that summarized each meeting and the discussion items reviewed. Some of the main recommendations provided were:

- Staff should take minutes
- The Ordinance should be reviewed asap
- Compliance enforcement is key, and the complaint process should be easily understood
- Suggest staff attach a timesheet to each application and complaint.
- Provide a cost analysis for STR permitting

Bruce also mentioned there was limited public participation in the meetings, and that gathering input from outside the committee would be very helpful as we try to wrap up this year and move forward.

STR Committee opening statements included:

**Jan Nash-Hunt:** All known complaints were resolved.

**Joe Moran:** The process is working well. Property managers are responding quickly and resolving the issues.

**Dorothy Cox:** It is my understanding that the ordinance requires all complaints to be reported to the Clerk's office.

**Kathleen Lake:** Could this meeting be considered the annual meeting? All complaints should be tracked and reported, giving the City Manager an opportunity to determine whether they are significant or not.

**Dick Bruce:** The City should keep track of all complaints, major, minor, formal, or informal, for tracking purposes within 2 days of the complaint.

Council opening statements included:

**Miller:** I'm a neighbor to an STR. The few times I had issues, they were addressed immediately by the property manager.

**Davies:** Thanked the STR Committee for their work and recommendations. However, I would prefer each recommendation be forwarded to the Council immediately for action, rather than sending them on an annual basis. Stockpiling recommendations is not a good use of everyone's time.

**West:** Appreciate the Committee's work so far. Would like to see greater public participation, and to create an environment that encourages participation.

**Planning Commissioner Stockness:** Suggested providing refreshments at STR meetings to encourage participation.

*Motion (West/Miller) to consider the STR Committee November 01, 2019 Progress Report as the official annual report. Passed unanimously.*

2. Discussion/Presentation – Open Public Forum to Solicit Input from the Community on Issues or Successes relate to the Implementation of the Short-Term Rental Ordinance and Regulations

Public comment included:

**Jonna Kitchen** – Trinidad Retreats, Trinidad Resident

The ordinance is working very well. I understand both sides of the complaint reporting discussion, but looking for problems is not the intent or answer. People are either burnt out about this topic, or the issues just don't exist. You may have to consider mailing a survey of some kind to every resident in order to get a better sense of the overall feeling about this subject. I manage 11 properties in the City, and not once have I been invited to a meeting to discuss best practices. Certain complaints are just absurd and should not be considered (like insisting a neighbor put up curtains). Meet and greets are not effective. Pet instructions/policies should be included somewhere in the ordinance.

**Rachel Duclos** – STR Homeowner

Do I count as part of the community as an STR homeowner? (Mayor Ladwig responded yes. Commissioner Lake responded, no.) I visited Trinidad every year for 45 years, and purchased a second home on Edwards Street 3-years ago. The "investor" rhetoric is tiring. The anecdotal stuff and grand jury complaints are just absurd. My family wants to support Trinidad however we can, and by sharing our home with visitors allows us to contribute to the tax base, enjoy it for ourselves in the off-season, and participate in the community. We support the regulations and play by the rules. However, the negative energy has given us no choice but to disengage because we don't know who to trust.

**Adora King** – Trinidad

I think most people don't want to attend STR meetings. I want to know what's happening with enforcement. What do we do about rule-breakers?

**Michelle McHenry** – STR Homeowner, Trinidad Resident

I own a home on Ocean Avenue that I share as an STR, and I love living on Ocean Avenue. We all have unique ways of listening, accepting, and interpreting each other. The Ordinance should be adaptive, and I agree with Jonna Kitchen that if a true understanding of how the community feels about STR's is desired, we may have to reach out directly to each household. The ordinance is good, and regulations are necessary. We have come a long way in the past few years, and I thank everyone for their hard work.

Written correspondence received:

**Karen McCarter** – STR Owner (Ocean Ave).

We have had another successful year sharing our home with many visitors who love this community. My home alone has contributed over \$20,000 in occupancy tax to the City in the last 8 years, and provided employment opportunities for the locals. We open our home on Halloween for the locals, and appreciate how tourism helps this town thrive. Regarding the Progress Report suggesting ramifications to improvements of STR's without proper permits, this is over-reaching on the part of the Advisory Committee. This is the Building Departments job and should be applied equally to every home in Trinidad.

**Alan Grau** – Trinidad Resident

Misses having an abundance of neighbors. The STR Ordinance will never be enforced, and not in the City's economic interest to regulate it.

**Eric Fishman – STR Owner**

Satisfied with the STR process and regulations, and personally have not have any negative interactions with other STR's during my extended stays in my Trinidad home. I believe my tenants abide by the rules and treat my home with care. A neighbor complained about some of my outdoor and indoor lights. The choose not to use curtains in their bedroom window, so my property manager and I made changes to accommodate them. We installed switches on the outdoor lights, changed the walkway light, and raised the kitchen chandelier to minimize the glare.

Planning Commission Comments:

**Kelly:** I'm very concerned about the "qualification process" to be a part of the community. I disagree with Commissioner Lake.

**Stockness:** Suggested providing refreshments at STR meetings to encourage participation.

**Graves:** I have many years of experience in government, and even in larger cities public participation can be very low. Thanked all the public commenters, and noted that we ALL are part of this community.

**Lake:** Sharing the burden of reporting complaints with the property managers was the intent of requiring all complaints to be reported to the City, whether they were resolved or not. Richard Johnson and Mike Pinske created a very useful complaint flow chart in 2016.

**Miller:** I helped wordsmith the ordinance, and I believe there is a sufficient misunderstanding regarding what type of complaints must be reported. Our intent was that all significant complaints be reported, but it sounds like we may need to clarify this in a future ordinance update.

**Davies:** There are signs that violate the ordinance. Why do we even create regulations if we aren't going to enforce them? These businesses are asking the residents to help them turn a profit. I believe the meet-and-greet policy is simple to enforce. The rules are in place to protect the residents and the City. The City needs to enforce the ordinance with fidelity and consistency so faith can be restored in the community.

**Ladwig:** We need to be realistic about this. There are many competing priorities right now that need the City's attention: General Plan, Water Policies, Grant Projects, etc. STR Advisory motions and a comprehensive ordinance review may not be happening as expeditiously as some of us may want. Recapped the items presented tonight for consideration:

- Staff support provided to the committee for minutes
- Ordinance review
- Enforcement
- Complaint procedure
- Cost analysis for STR Permitting
- Best Practices meeting for Property Managers and City
- Survey to request community input
- Noise, Pets, Signs, Meet-&-Greet Enforcement

**STR Chair Bruce:** Let's start with enforcement. What is the City willing to do? Consider requiring suspension of guest deposit refunds until violations are resolved.

**CC Miller:** The City should be the recipient of fines levied when there is a violation.

**PC Stockness:** There aren't enough law enforcement officers to enforce the STR issues.

**CC Davies:** An Administrative Assistant was hired to enforce the ordinance. She needs to be utilized for what she was hired for.

**PC Lake:** There is no real-time enforcement. People who complain receive retaliation threats from lawyers. The Administrative Assistant was hired to handle the STR process. Law Enforcement is not interested in enforcing the ordinance. Primary residents should be the only people allowed to have STR licenses. Protect residents and housing. Dogs and shootings at STR's are real problems.

**PC Kelly:** If real data is captured (from complaints) then enforcement priorities can be developed. At this point I'm hearing there were only 2 minor formal complaints submitted, but an undisclosed amount of verbal complaints shared with residents, but not the City.

**CC Ladwig:** I would like the Council to be provided with suggestions that are within the City's means to consider and would task that to the STR Committee as a future agenda item.

*No decisions were made. Enforcement options will be considered at a future STR Committee meeting.*

## **V. FUTURE AGENDA ITEMS**

**ADJOURNMENT: 8:26pm**

**Submitted by:**

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**Gabriel Adams**  
Trinidad City Clerk

**Approved by:**

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**Steve Ladwig**  
Mayor